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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,780	09/27/2005	Tetsuya Taki	PTGF-04041US	9224
21254	7590	01/30/2009	EXAMINER	
MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC			GOODWIN, DAVID J	
8321 OLD COURTHOUSE ROAD			ART UNIT	PAPER NUMBER
SUITE 200			2818	
VIENNA, VA 22182-3817			MAIL DATE	DELIVERY MODE
			01/30/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 12/30/09 have been fully considered but they are not persuasive.
2. The applicant argues that Ikeda does not teach "wherein a band gap decreases from a position proximate to the light emitting layer to a position proximate the second p layer."
3. Ikeda teaches a decreasing band gap from the position proximate the light emitting layer to a position proximate the second p layer (fig 13). The applicant will note that on the left of the figures, at the position which would be nearer the light emitting layer, the band gap is greater, and at the right, which would be nearer the second p layer, the band gap is less. Between these end the band gap is at an intermediate level. Therefore the band gap is decreasing.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID GOODWIN whose telephone number is (571)272-8451. The examiner can normally be reached on Monday through Friday, 9:00am through 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Loke can be reached on (571)272-1657. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

djg

/Steven Loke/
Supervisory Patent Examiner, Art Unit 2818